

IN THE SUPREME COURT OF THE STATE OF DELAWARE

PETER KOSTYSHYN,	§
	§ No. 18, 2011
Defendant Below-	§
Appellant,	§
	§ Court Below-Court of Common
v.	§ of the State of Delaware
	§ Cr. ID No. 1003021689
STATE OF DELAWARE,	§
	§
Plaintiff Below-	§
Appellee.	§

Submitted: January 27, 2011

Decided: February 9, 2011

ORDER

This 9th day of February 2011, it appears to the Court that, on January 13, 2011, the Clerk issued a notice to show cause why this appeal should not be dismissed pursuant to Supreme Court Rule 29(b) for this Court's lack of jurisdiction to consider an appeal in a criminal matter directly from the Court of Common Pleas.¹ The appellant has failed to respond to the notice to show cause within the required 10-day period.² Therefore, dismissal of this action is deemed to be unopposed.

¹ Del. Const. art. IV, §11(1)(b); C.C.P. Crim. R. 37.

² The appellant filed letters to the Court on January 18 and January 21, 2011, but did not address the notice to show cause.

NOW, THEREFORE, IT IS ORDERED, pursuant to Supreme Court Rule 29(b), that the within appeal is DISMISSED.

BY THE COURT:

/s/ Jack B. Jacobs
Justice